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DEPARTMENT OF STATE

Washington, D.C. 20520

May 5, 1981

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MEMORANDUM FOR MR. RICHARD V. ALLEN
THE WHITE HOUSE

Subject: Talking Points for the May 6, 1981 White House Visit of the Colombian Delegation on Narcotics and the Judicial Process

Attached are two memoranda for the visit of the Colombian Executive Observation Program (EOP) Delegation on Narcotics and the Judicial Process sponsored by the Bureau of International Narcotics Matters and the International Communications Agency.

The first memorandum gives the background of this EOP program as well as talking points for use by Mr. Michael Uhlmann, Special Assistant to the President for Policy Development at the White House. The second describes the illicit drug trafficking situation and the International Narcotics Control Program in Colombia.

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L. Paul Bremer, III
Executive Secretary

Attachments:

1. Memo to Mr. Michael Uhlmann from INM AAS Joseph H. Linnemann
2. INM Memorandum on Colombian INC Program

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DEPARTMENT OF STATE

Washington, D.C. 20520

May 1, 1981

TO : Mr. Michael Uhlmann, Special Assistant to the President for Policy Development, The White House

FROM : Joseph H. Linnemann, Acting Assistant Secretary of State for International Narcotics Matters

SUBJECT: Talking Points for the May 6, 1981 Visit of the Colombian Executive Observation Program Visitors

Background: This joint INM/ICA Executive Observation Program (EOP) Project is designed to give these high Colombian judiciary officials an understanding of the judicial and prosecutorial aspects of the U.S. legal system at a time when the Government of Colombia is on the verge of implementing laws which will change their inquisitorial system of criminal procedure to an accusatorial one.

Talking Points:

1. Events of the past year, both in the United States and abroad, have reinforced the U.S. Government's view that international narcotics control is an integral part of U.S. foreign relations.

2. The cornerstone of our international effort is cooperation with the governments of the major producing and trafficking countries and Colombia is an integral part of our program to combat illicit trafficking in cocaine and marijuana. Working together with Colombia to reduce the flow of illicit drugs into the United States are the Bureau of International Narcotics Matters of the Department of State, the Drug Enforcement Administration (DEA), and the U.S. Customs Service. Fully one half of INM's budget for country programs in FY 1980 was devoted to funding for Colombia.

3. It is of the highest priority to the U.S. Government that our cooperation continue at the high level of commitment that has been the mark of the administration of President Turbay.

4. The Colombian judicial process is a key element in reducing the flow of illicit narcotics from Colombia. Through the role of the judiciary in the prosecution of narcotics traffickers, the major trafficking networks can be disrupted and destroyed.

5. During the current evolution of the Colombian judicial system, it is especially appropriate that this program has been designed to provide a forum for an exchange of views on our mutual systems of criminal procedures.

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Washington, D.C. 20520

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May 1, 1981

TO : INM - Mr. Joseph H. Linnemann, Acting Assistant Secretary

FROM : INM/P - Terrence G. Grant

The Colombia INC Program

Colombia is a major processing/distribution center for the cocaine and coca derivatives coming up from Peru and Bolivia, supplying approximately 70 percent of illicit United States and world markets. Although an increasing number of reports indicate that coca leaf production is on the rise in Colombia, the coca growers are still unable to meet the demand, and Colombian producers of cocaine hydrochloride continue to receive the vast bulk of the raw material from Peru and Bolivia.

Colombia is also a major producer and exporter of marijuana, supplying about 70 per cent of illicit world and United States' market. Marijuana is illegally grown throughout the country, but the principal growing area is in the northeastern departments which together are known as the Guajira. Large-scale marijuana smuggling by air and sea continues to take place on the north coast of Colombia despite concerted interdiction efforts in that area. In fact from September 1974 to October 1980 the Government of Colombia confiscated 235 planes of U.S. registry -- most of which were involved in narcotics trafficking.

Much of the narcotics from Colombia comes from the Guajira region which has long been known as a mecca for lawlessness and smuggling. For generations, the smuggling of various goods -- livestock, cigarettes, consumer goods, etc. -- has been one of the primary methods of livelihood for the area's residents. In the past, government control and support for law enforcement has been largely lacking. With this history and background, and with increased demand for drugs in the United States, the smuggling of narcotics from the Guajira has assumed major proportions, with attendant difficulties for interdiction efforts.

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From 1972 to 1979, the State Department through the Bureau of International Narcotics Matters funded projects in Colombia in the amount of approximately $13 million. Beginning in October 1978 the Government of Colombia assigned the Colombian military as the primary narcotics interdiction agency. During FY 1979 joint U.S. and Colombian Government efforts were largely concentrated in the Guajira Peninsula, where the military is in a strong position. Results in CY 1979 were impressive: 3,440 tons of marijuana and 3,207 kilograms of coca derivatives or cocaine.

Despite these impressive statistics, the amount of cocaine and marijuana reaching the United States did not subside and there seems to have been little disruption of major Colombian trafficking networks. Thus, for FY 1980, the U.S. Congress mandated a $16 million program. In May 1980 a project agreement for a little over $2 million was signed with the GOC Customs Service. Most of this amount will go toward the purchase of a 105' patrol craft to be used in drug interdiction operations off the North Coast.

At the same time, various events, including the absence of a U.S. Ambassador following the Colombian hostage crisis as well as the restructuring and reorganization by the Government of Colombia of its narcotics interdiction strategy, delayed the signing of a second Project Agreement for the remaining $13.25 million thus reducing the level of interdiction activity by the GOC in FY 1980. Another problem delaying the signing was the desire of the military to be reimbursed with FY 80 Funds for prior year activities in drug interdiction.

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In November 1980, however, the second Project Agreement, this time for over $13 million, was signed with the Ministry of Defense. Under the GOC's new narcotics strategy, the United States' contribution to this effort will be the provision of training for enforcement personnel, commodities (including communications equipment, transport vehicles, spare parts, etc.), fuel and lubricants, and other types of field and operational support to aid in the interdiction effort. The GOC is to provide personnel, administrative support and other equipment. Revealed in May 1980, the new GOC plan calls for the National Police to receive the lion's share of US assistance, with the remainder divided up among the three branches of the armed forces -- the Army, Navy and the Air Force. While the National Police is now assuming the primary responsibility for narcotics control, the armed forces will continue to play an operational and tactical support role and will be the chief coordinator and Colombian contact point.

The Governments of the United States and Colombia have, within the past year, signed both an Extradition Treaty and a Mutual Legal Assistance Treaty which should help in our efforts to reduce the flow of narcotics to our shores. The Extradition Treaty is very important since it is the first time that a civilian government in Latin America has agreed to extradite its nationals even if only under specific limiting circumstances. The Treaty on Mutual Legal Assistance in Criminal Matters provides for assistance at both the investigative and prosecutorial stages and covers the obtaining of testimony or statements of persons, records and other documentary or physical evidence, and service of judicial documents. Both treaties require ratification by the U.S. Senate.

As Colombia has become the major supplier of cocaine and marijuana to the United States, narcotics-related violence has become pervasive. It is widely believed that corruption has

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penetrated all levels of society. The income from these illicit drugs has become a major source of foreign exchange for Colombia. Estimates are suspect, varying from $1.6 billion even to $4.0 billion. Whatever the real figure, however, no one denies its substantial impact on the economy. Moreover, the new drug money has been invested primarily in conspicuous consumption and real estate, fueling inflation and boosting construction and real estate costs to very high levels. All in all, the effect of the drug business on the economic, political and social fabric of one of Latin America's more durable democracies could be profound.

The USG in its INC program in Colombia faces a difficult task. In addition, at the same time that we are urging greater Colombian efforts against trafficking, we are confronted with a Colombian perception of a lax attitude in the United States toward marijuana and cocaine. A message that we are constantly given by Colombia is that the drug problem is primarily a U.S. problem and that we must get our own house in order first.

In the course of pursuing our anti-narcotics goals in Colombia, we have also begun focussing more attention on the Colombian judiciary -- offering legal assistance, high level exchanges of judicial officials, and seminars for judges -- in an effort to assist in making Colombian prosecutions of narcotics traffickers more effective.

Recently the Government of Colombia passed a law providing that their system of justice be changed from an inquisitorial system of criminal procedure to an accusatorial one more like the U.S. system. In the past, while arrests have been made in Colombia, no major trafficking network has been destroyed. We hope that with the implementation of this judicial reform, significant gains can be made in the prosecution of key drug trafficking people in Colombia.

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